

REMARKS

In response to the Office Action mailed August 18, 2003, the Applicant respectfully requests that the Examiner consider the following remarks. Claims 1-5 remain pending in the application. The Applicant respectfully requests further examination and reconsideration of the application in light of the remarks.

Rejection of Claims 1-5 Under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by Gibson. The Applicant respectfully traverses the rejection.

The Applicant respectfully submits that Gibson does not teach or suggest every element of the claimed invention. First, the Applicant respectfully submits that the Examiner has mislabeled items D and E of Gibson. Item D is a rail, and item E is vertical rod. Moreover, the wire F does not form a "loop" around any rails such that the "loop" holds the rails and pickets together. This is made clear in Figure 3 of Gibson. Therefore, the Applicant respectfully submits that Gibson cannot support the rejection of claims 1-5 under 35 U.S.C. § 102(b).

Rejection of Claims 2-4 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 2-4 under 35 U.S.C. § 103(a) as being obvious over Lawrence. The Applicant respectfully traverses the rejection.

The Applicant respectfully submits that Lawrence does not suggest every element of the claimed invention. Similar to the Gibson reference, the Applicant respectfully submits that the Examiner has mislabeled the rails and pickets of

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Lawrence. Moreover, Lawrence has the same shortcoming as Gibson. Lawrence does not teach or even suggest forming a "loop" around any rails such that the "loop" holds the rails and pickets together. Consequently, there is no motivation to even combine Lawrence with Gibson to achieve the present invention. Therefore, the Applicant respectfully submits that Lawrence (either alone or in combination with Gibson) cannot support the rejection of claims 2-4 under 35 U.S.C. § 103(a).

Conclusion

The Applicant has distinguished claims 1-5 over the cited references. Therefore, the Applicant respectfully submits that the present application is now in condition for allowance, and such action is earnestly requested.

Respectfully submitted,

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